

**AMENDMENTS TO THE DRAWINGS**

The attached sheets of drawings include the addition of the words "PRIOR ART."

Attachment: Replacement sheets

### **REMARKS**

Applicants thank the Examiner for the thorough consideration given the present application. Applicants further thank the Examiner for the assistance and clarification provided with respect to the basis and nature of the claim rejections made in the present Office Action.

Claims 8-14, and 22-30 are pending in the present application. Claims 8, 22, 29, and 30 are independent claims. Claims 8, 22, 29, and 30 are amended.

### **Purpose of Amendments**

Applicants respectfully assert that the amendments made to independent claims 8, 22, 29, and 30 are made as a result of an interview conducted between the Examiner and Applicants' representative on May 21, 2008. The amendments are meant purely to clarify what is meant by an "out of order record" and out of order data.

### **Drawing Objections**

The Examiner objects to Figures 1-3 as being improper for not having been properly designated as prior art. Applicants submit amended drawings with this response that indicate Figures 1-3 as prior art.

### **Specification Objections**

The Specification is objected to as failing to provide proper antecedent basis for the "computer-readable medium" of claim 22. The Examiner's concern is making this objection was that, although not specifically so enumerated in the specification or claims, Applicants may have intended the inclusion of non-statutory computer readable media, such as carrier waves. Applicants' representative spoke with the Examiner on May 21, 2008 and stated that use of the term "computer readable media" in both the claims and specification was meant only to include only those computer-readable media recognized by the PTO as statutory. Accordingly, reconsideration and withdrawal of this objection is respectfully requested.

### **Claim Objections**

Claims 22, 29, and 30 are objected due to grammatical and typographic informalities. Applicants have made all amendments suggested by the Examiner. Accordingly, reconsideration and withdrawal of these objections is respectfully requested.

### **Rejections under 35 U.S.C. §101**

Claim 29 stands rejected under 35 U.S.C. §101 as relating to non-statutory subject matter on the grounds that the computing device and units of the claim may all be construed as being purely software. Applicants respectfully traverse this rejection.

Applicants have amended claim 29 to now include the limitation that “the instance database resides, at least partially, on a computer-readable memory or storage medium.” Applicants respectfully submit that the computer-readable memory or storage medium of the claim limitation is, by definition, a component that cannot be implemented purely as software. Applicants therefore respectfully submit that independent claim 29 cannot now be construed as having a purely software embodiment. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. §103(a)**

Claims 8-14 and 22-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2002/0038228 by Waldorf (hereafter “Waldorf”) in view of U.S. Patent 6,856,970 to Campbell et al. (hereafter “Campbell”). Insofar as it pertains to the presently pending claims, this rejection is respectfully traversed.

### **Claim 8**

As amended, independent claim 8 pertains to a method for maintaining information about multiple instances of an activity related to a business process. The method comprises, in pertinent part, “preventing access to instance database records containing out-of-order data, wherein

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an out-of-order record is a record that contains data reflecting the completion of a processing step for an instance but does not either contain or refer to currently existing data reflecting the completion of a sequentially prior processing step for the instance.” The Office Action admits that Waldorf fails to teach the above-cited claim limitation, and instead relies on Campbell to teach this portion of the claim.

#### Teachings of Campbell

Campbell teaches “an electronic financial transaction system capable of reporting and instruction across multiple financial institutions.” (Col. 2, lines 49-50). Although Campbell discloses the use of a ‘gatekeeper’ to “limit the scope of the accessible data by excluding those that are in the process of being uploaded,” (Col. 17, lines 30-31) there is no teaching or suggestion of restricting access to already uploaded data that either does not contain, or references currently missing, data regarding a sequentially prior processing step (i.e. a step that, in the actual flow of the process, is performed at a time previous to the step the current data is associated with).

#### Gaps in a Sequence

Although Campbell states that the purpose of the gatekeeper is to “synchronize the load and data tables and to prevent access to incomplete or inconsistent data,” (Col. 17, lines 46-48) Campbell does not teach or suggest a way of handling the relationship between application data from a particular point in a sequence, and application data from sequentially prior steps that may be either missing or as yet incomplete.

The underlying assumption in Campbell’s ‘gatekeeper’ feature is that any incomplete or inconsistent data is a result of not-yet-loaded subsequent transactions from an application. Campbell’s example of a list of balances associated with financial transactions (Col. 17, lines 34-35) assumes a consistent date or time range for at least one of the balances or the transactions. If both data sets contain different gaps, Campbell’s approach would permit the display of subsequent transactions with associated balances despite immediately prior transaction / balance

combinations being absent from the data. This would be so under Campbell because a transaction having an associated balance is regarded as a “complete” record without regard for the status of an immediately preceding transaction or transactional step from which the current transaction may depend.

#### Discussion with Examiner

Applicants’ representative discussed this issue with the Examiner on May 21, 2008 and both parties agreed, in principle, that the described “preventing” function of the present invention according to independent claim 8 was different from that taught by Campbell. Applicants hereby amend independent claim 8 to more clearly enumerate the differences between Campbell and the present invention. Accordingly, Applicants respectfully submit that Campbell does not teach or suggest “preventing access to instance database records containing out-of-order data, wherein an out-of-order record is a record that contains data reflecting the completion of a processing step for an instance but does not either contain or refer to currently existing data reflecting the completion of a sequentially prior processing step for the instance” as required by independent claim 8.

#### Claims 22, 29, and 30

Claims 22, 29, and 30 are all amended in a fashion similar to independent claim 8 to more clearly define what is meant by “out of order data” and an “out of order record.” Applicants therefore respectfully submit that independent claims 22, 29, and 30 are allowable over Campbell for at least the same reasons as set forth with respect to independent claim 8.

#### Claims 9-14 and 23-28

Applicants respectfully submit that claims 9-14 and 23-28 are allowable at least by virtue of their dependency from independent claims 8, 22, 29, and 30.

#### Summary

At least for the reasons set forth above, Applicants respectfully submit that neither Campbell nor Waldorf, taken either alone or in combination (assuming the references may be

combined, which Applicants do not admit) teach or suggest preventing access to the type of out-of-order data and records defined in independent claims 8, 22, 29, and 30, and all claims depending therefrom. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion


In view of the above amendment and remarks, Applicants believe the pending application is in condition for allowance.

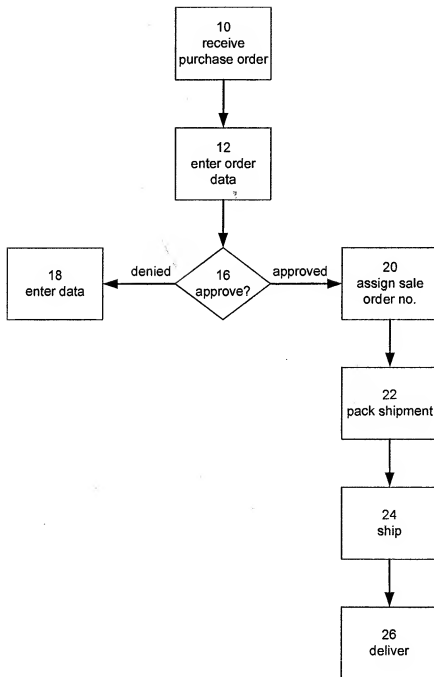
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael K. Mutter Reg. No. 29,680 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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PRIOR ART

FIG. 1